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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yuba)

THE PEOPLE,

Plaintiff and Respondent,

v.

ADRIAN TERRELL SHERMAN,

Defendant and Appellant.

C086843

(Super. Ct. No. CRF17-660)

Appointed counsel for defendant Adrian Terrell Sherman asks this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

BACKGROUND

Responding to a call that defendant was acting erratically, law enforcement found defendant standing in a driveway, yelling incoherently, and waving his hands in the air. Defendant had two knives attached to the pockets of his pants; he ignored repeated orders to stay where he was and lie on the ground. Two law enforcement officers Tased defendant, to no avail. After repeated use of the drive stun feature of the Taser, they were able to subdue defendant and place him in handcuffs.

Defendant was taken by ambulance to the hospital where he continued to be combative toward law enforcement and medical staff until he was sedated.

The People later charged defendant with resisting a peace officer (Pen. Code, § 69) and possession of methamphetamine (Health & Saf. Code, § 11377, subd. (a)). Defendant pleaded guilty to resisting a peace officer. In exchange for his plea, the People agreed not to allege any strike priors or prison priors and agreed they would move to dismiss the remaining charge.

The trial court sentenced defendant to the upper term of three years in state prison for his conviction. The court ordered defendant to pay various fines and fees and awarded him 193 days of custody credit. The court also dismissed the remaining charge. Defendant timely filed a notice of appeal and obtained a certificate of probable cause.

At counsel's request, the trial court subsequently amended its award of credits, giving defendant 201 days of custody credit. The clerk of the court prepared an amended abstract of judgment.

DISCUSSION

Counsel filed an opening brief setting forth the facts of the case and requests that we review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised of his right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having examined the record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

Blease, J.

We concur:

Raye, P. J.

Butz, J.